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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,510	06/26/2000	Arthur Dale Burns	STUD-0001	2809
27964	7590	06/02/2004	EXAMINER	
HITT GAINES P.C. P.O. BOX 832570 RICHARDSON, TX 75083			BASHORE, ALAIN L	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/603,510

Applicant(s)

BURNS, ARTHUR DALE

Examiner

Alain L. Bashore

Art Unit

3624

*ML*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel et al in view of (Levine et al and Mottola et al).

Tengel et al discloses a loan qualification system and Internet site. An input module, associated with an Internet site, that presents at least one page to a loan applicant to assist said loan applicant in providing personal and loan information pertaining to a plurality of loans made to said loan applicant (fig, 5; col 8, lines 50-60).

A qualification module, associated with said input module, that assesses said personal information to determine a personal qualification of said loan applicant and assesses said loan information pertaining to said plurality of debts to determine a loan qualification of said loan applicant (figs 3a-3b; col 5, lines 29-67; col 6, lines 1-61)

The qualification module qualifying said loan applicant and informing said loan applicant and a lender only if said personal qualification and said loan qualification are positive (fig 6).

Tengel discloses loan guarantor information included in the personal information and aggregate loan debt of said loan applicant to determine said loan qualification (fig 5, "joint applicant"). The qualification module qualifies said loan applicant if an aggregate loan debt of said loan applicant exceeds a predetermined amount ( col 5, lines 55-62).

Since Tengal discloses requiring information concerning all of applicant's debts, this inherently includes whether the plurality of loans are from more than one lender to determine said loan qualification.

It would have been obvious to one with ordinary skill in the art to include a secured site to Tengal et al for the purposes of security of personal information.

Tengel et al does not disclose:

loan consolidation;

student loans as the loan;

the site is associated with an affinity group; and

student loans guaranteed by a government-sponsored program.

Levine et al discloses loan consolidation (col 1, lines 49-67;col 2, lines 1-12) and student loans as loans (col 7, lines 37).

It would have been obvious to one with ordinary skill in the art to include student loans as the loans to Tengal et al because Tengal et al teaches his invention may

include personal loans (col 5, lines 24-25) and Levine et al teaches student loans as one type of loan (col 7, lines 30-46).

It would have been obvious to one with ordinary skill in the art to include loan consolidation to Tengel et al because Levine et al teaches financial advantages to loan consolidation (col 2, lines 1-5).

Mottola et al discloses affinity groups (col 6, lines 7-18) and government-sponsored programs to guarantee student loans (col 1, lines 22-25).

It would have been obvious to one with ordinary skill in the art to include a site associated with an affinity group to Tengel et al because Mottola et teaches such for investment purposes (col 5, lines 61-62).

It would have been obvious to one with ordinary skill in the art to include to Tengel et al the determination of the plurality of loans are guaranteed by government-sponsored programs because Mottola et al teaches that loan programs are known (col 1, line 19).

### ***Response to Arguments***

3. Applicant's arguments filed 4-15-04 have been fully considered but they are not persuasive.

Applicant has argued that Levine and Tengal are non-analogous art. Both references are clearly concerned with the "loan life cycle" (as described by Levine). The art recognizes the loan process as a whole and the concerns that one with ordinary skill in the art would utilize techniques and apparatus of the loan life cycle to solve problems dealing with all aspects of loans. Both references appear to encompass financial manipulation of loans as the filed of endeavor.

Applicant argues that Levine et al only address issues relating to the business of buying and selling financial products. Levine clearly addresses all aspects of the loan life cycle. On column 3, lines 7-28 to Levine there is clear discussion of loan origination.

As described in the office action the motivations include: financial advantages of loan consolidation (col 2, lines 1-5). This appears to be specificity and desirability as required.

Mottola does not teach away from using student loans per se. The reference to Mottola is utilized to show that government sponsored programs to guarantee student loans is known in the art. Applicant has not argued that government sponsored programs to guarantee student loans are not known in the art per se. Mottola is not used to combine for any consolidation technique which is already disclosed in the references utilized in the rejection.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 703-308-1884. The examiner can normally be reached on about 7:00 am to 4:30 pm (Monday thru Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alain L. Bashore